

09-05-06

FFWJ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT DIVISION

RESPONSE

Applicant: Robert Krottner) September 1, 2006
Appl. No.: 10/765,530) Docket No. RAR478.01
Filing Date: 01/27/2004) Group Art Unit 3752
Title: Aromatic Apparatus for Plumbing Fixtures) Examiner: Gorman, Darren W.

COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, VA 22313-450

In response to the communication from the Examiner dated May 2, 2006, requiring an election of species by the Applicant, the Applicant hereby restricts the examination to claims to species I (claims 1-16), without traverse.


REMARKS

The Office Action, dated May 2, 2006, set a shortened statutory period for response of one (1) month, which expired June 2, 2006. This Response is being filed on September 1, 2006, which is believed to be within the three (3) month extension period in which to file a response. As a result, an extension fee of \$510.00 is included herewith for the three (3) month extension of time for a small entity. If an additional extension of time is required, please consider this a petition therefor.

Certificate of Express Mailing - 37 C.F.R. § 1.10

Express Mail Label No.: ED698776906US Date of Deposit: 9 / 1 / 2006

I hereby certify that the papers and/or fees identified in this letter are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature

Richard A. Ryan, Reg. No. 39,014
(type or print name of person certifying)

09/05/2006 HVUDNG1 00000060 10765530

01 FC:2253

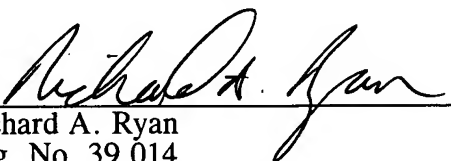
510.00 OP

1 In the Office Action, the Examiner identified two patentably distinct species. Species I
2 is identified with regard to the apparatus shown in FIGS. 1-6 (claims 1-16). Species II is identified
3 with regard to the apparatus shown in FIGS. 7 and 8 (claims 17-20). Pursuant to 35 U.S.C. § 121,
4 the Examiner has required Applicant to elect a single disclosed species for prosecution on the merits.
5 In response to the Examiner's requirement, Applicant has selected Species I, which is identified with
6 claims 1-16, for prosecution on the merits, without traverse to said election.

7 Consideration of the application in light of Applicant's restriction is requested.
8 Allowance of Claims 1-16 is respectfully solicited.

9
10 Dated: September 1, 2006.

11 Respectfully Submitted,

12
13 By 
14 Richard A. Ryan
Reg. No. 39,014

15 Richard A. Ryan,
16 Attorney at Law
8497. Millbrook Ave., Suite 101
Fresno, CA 93720

17 Phone: (559) 447-1837
18 Fax: (559) 447-1042
19 E-mail: richard @ fresnopatentlaw.com
20
21
22
23
24
25
26
27
28